

MEDIUM-TERM OBLIGATIONS

NRS 350.087 Resolution authorizing medium-term obligation or installment-purchase agreement: Adoption; contents; notice.

1. If the public interest requires a medium-term obligation or installment-purchase agreement, the governing body of any local government, by a resolution adopted by two-thirds of its members, may authorize a medium-term obligation or installment-purchase agreement. For the purposes of the issuance of a medium-term obligation pursuant to [NRS 280.266](#), a metropolitan police committee on fiscal affairs shall be deemed the governing body of a local government.

2. The resolution must contain:

(a) A finding by the governing body that the public interest requires the medium-term obligation or installment-purchase agreement;

(b) A statement of the facts upon which the finding required pursuant to paragraph (a) is based;

(c) A statement that identifies:

(1) Each source of revenue of the local government that is anticipated to be used to repay the medium-term obligation or installment-purchase agreement; and

(2) The dollar amount that is anticipated to be available to repay the medium-term obligation or installment-purchase agreement from each such source; and

(d) If the resolution is for an installment-purchase agreement with a term of more than 10 years:

(1) A statement comparing the cost of installment-purchase financing with other available methods of financing, including, without limitation, financing with general obligation bonds or revenue bonds; and

(2) If such statement concludes that installment-purchase financing is more expensive than other available methods of financing, a statement explaining the reasons for choosing installment-purchase financing instead of a less expensive alternative.

3. Except as otherwise provided in subsection 4, before the adoption of any such resolution, the governing body shall publish notice of its intention to act thereon in a newspaper of general circulation for at least one publication. No vote may be taken upon the resolution until 10 days after the publication of the notice. The cost of publication of the notice required of an entity is a proper charge against its general fund.

4. If such a resolution will be adopted by a metropolitan police committee on fiscal affairs, the sheriff of the county in which the metropolitan police department is located shall publish the notice required pursuant to subsection 3.

(Added to NRS by [1995, 1810](#); A [1997, 1295](#); [1999, 275](#); [2001, 2312](#))

NRS 350.089 Approval of resolution for medium-term obligation or installment-purchase agreement by Executive Director of Department of Taxation; appeal to Nevada Tax Commission. Except as otherwise provided in [NRS 280.266](#) and [496.155](#):

1. Upon the adoption by a local government of a resolution for a medium-term obligation or installment-purchase agreement, as provided in [NRS 350.087](#), a certified copy thereof must be forwarded to the Executive Director of the Department of Taxation. As soon as is practicable, the Executive Director of the Department of Taxation shall, after consideration of the tax structure of the local government concerned, the probable ability of the local government to repay the requested medium-term obligation or installment-purchase agreement and the compliance of the local government with the applicable provisions of law, including, without limitation, the provisions of [chapter 354](#) of NRS, approve or disapprove the resolution in writing to the governing board. No such resolution is effective until approved by the Executive Director of the Department of Taxation. The written approval of the Executive Director of the Department of Taxation must be recorded in the minutes of the governing board.

2. If the Executive Director of the Department of Taxation does not approve the resolution for the medium-term obligation or installment-purchase agreement, the governing board of the local government may appeal the Executive Director's decision to the Nevada Tax Commission.

(Added to NRS by [1995, 1810](#); A [1997, 1295](#); [1999, 276](#); [2001, 2312](#))

Comment [BF1]: The resolution required by the Account for Charter Schools loan application should follow the guidance highlighted in yellow in Paragraphs 1, 2 & 3.

Comment [BF2]: No need to worry about an additional step. The Department of Taxation has determined that charter schools are not "local governments" and would not review your resolution if you sent it to them.